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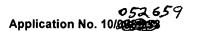
APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO. 5550	
10/052,659	01/18/2002	Carl Dvorak	310265.90236		
Nicholas J. Sea	7590 01/26/2007		EXAM	INER	
Quarles & Brady LLP			GLASS, RUSSELL S		
1 South Pinckney Street P.O. Box 2113			ART UNIT	PAPER NUMBER	
Madison, WI		3626			
			MAIL DATE	DELIVERY MODE	
			01/26/2007	PAPER	

Please find below and/or attached an Office communication concerning this application or proceeding.

Advisory Action Before the Filing of an Appeal Brief

Application No.	Applicant(s)		
10/052,659	DVORAK ET AL.		
Examiner	Art Unit		
Russell S. Glass	3626		

	Trussell O. Olass		3020	
The MAILING DATE of this communication ap	pears on the cover sh	eet with the c	orrespondence add	ress
THE REPLY FILED 11 December 2006 FAILS TO PLACE T	HIS APPLICATION IN C	CONDITION F	OR ALLOWANCE.	
1. The reply was filed after a final rejection, but prior to or this application, applicant must timely file one of the for places the application in condition for allowance; (2) a a Request for Continued Examination (RCE) in complication periods:	ollowing replies: (1) an au Notice of Appeal (with a nance with 37 CFR 1.114	mendment, aff appeal fee) in 6 4. The reply m	fidavit, or other eviden compliance with 37 Cl	ce, which FR 41.31; or (3)
a) The period for reply expiresmonths from the ma				
b) The period for reply expires on: (1) the mailing date of the no event, however, will the statutory period for reply expired Examiner Note: If box 1 is checked, check either box (a)	ire later than SIX MONTHS	from the mailin	g date of the final rejection	on.
TWO MONTHS OF THE FINAL REJECTION. See MPE	P 706.07(f).	. (-,		
Extensions of time may be obtained under 37 CFR 1.136(a). The dhave been filed is the date for purposes of determining the period of under 37 CFR 1.17(a) is calculated from: (1) the expiration date of the set forth in (b) above, if checked. Any reply received by the Office I may reduce any earned patent term adjustment. See 37 CFR 1.70-NOTICE OF APPEAL	f extension and the corresp he shortened statutory peri ater than three months afte	onding amount iod for reply orig	of the fee. The appropri	ate extension fee ce action; or (2) as
2. The Notice of Appeal was filed on A brief in co	mpliance with 37 CFR 4	11.37 must be	filed within two month	s of the date of
filing the Notice of Appeal (37 CFR 41.37(a)), or any e a Notice of Appeal has been filed, any reply must be fi AMENDMENTS	xtension thereof (37 CF)	R 41.37(e)), to	avoid dismissal of th	e appeal. Since
3. The proposed amendment(s) filed after a final rejection	on, but prior to the date of	of filing a brief,	will not be entered be	ecause
(a) They raise new issues that would require further				
(b) They raise the issue of new matter (see NOTE b			•	
(c) They are not deemed to place the application in appeal; and/or	better form for appeal b	y materially re	ducing or simplifying	the issues for
(d) They present additional claims without canceling	g a corresponding numb	er of finally rej	ected claims.	
NOTE: (See 37 CFR 1.116 and 41.33(a)).			
4. The amendments are not in compliance with 37 CFR	1.121. See attached Not	tice of Non-Co	mpliant Amendment ((PTOL-324).
Applicant's reply has overcome the following rejection	n(s):			
 Newly proposed or amended claim(s) would be non-allowable claim(s). 	e allowable if submitted	in a separate,	timely filed amendme	nt canceling the
7. For purposes of appeal, the proposed amendment(s): how the new or amended claims would be rejected is The status of the claim(s) is (or will be) as follows: Claim(s) allowed: <u>None</u> .	a)	ed, or b) 🛛 wi nded.	ll be entered and an e	explanation of
Claim(s) objected to: <u>None</u> .				
Claim(s) rejected: <u>1-8</u> .				•
Claim(s) withdrawn from consideration: None.				
AFFIDAVIT OR OTHER EVIDENCE				
 The affidavit or other evidence filed after a final action, because applicant failed to provide a showing of good was not earlier presented. See 37 CFR 1.116(e). 	, but before or on the da and sufficient reasons v	te of filing a N why the affidav	otice of Appeal will <u>no</u> rit or other evidence is	t be entered necessary and
 The affidavit or other evidence filed after the date of fil entered because the affidavit or other evidence failed showing a good and sufficient reasons why it is neces 	to overcome <u>all</u> rejectior	ns under appe	al and/or appellant fai	ls to provide a
10. The affidavit or other evidence is entered. An explana-	ation of the status of the	claims after e	ntry is below or attach	ied.
REQUEST FOR RECONSIDERATION/OTHER			•	
 The request for reconsideration has been considered see next page. 	I but does NOT place the	e application i	n condition for allowar	nce because:
12. Note the attached Information Disclosure Statement(s). (PTO/SB/08) Paper N	No(s)		
13.			for the	
		SUDERV	JOSEPH THOMAS ISORY PATENT EX	AMINER
		COLPIN	1 · · ·	



Continuation of 11:

- 1.Applicant has not changed the scope of pending claims 1-8, which were previously rejected in the Final Rejection dated 10/5/2006.
- 2. Applicant's arguments are not persuasive for the following reasons:
- a. Applicant argues that Felsher fails to disclose "a reference table including application distinct patient identification numbers" as claimed in Claim 1. However, Claim 1 claims "a reference table including ... information about the patient identification number used by each application ...". The tables and/or indexes disclosed by Felsher are considered to include such information about the patient identification number because Felsher discloses encryption/decryption of a a specific patient file, identified by a patient identification number.
- b. Applicant argues that neither an encryption key nor a social security number is an application distinct patient I.D. number. However, as stated on page 4 of the final rejection, it is the combination of a private key and applet wrapper (an applet is an application), that is cited to reject the claim limitation of an application distinct patient I.D. number. Furthermore, ¶ 197 of Felsher discloses that a key representative of the patient identity is employed.